

## **REMARKS/ARGUMENTS**

### **Claim Amendments**

The Applicant has amended claims 1, 4-10 and 13-14. Applicant respectfully submits no new matter has been added. Support for the added term 'device' may be found in Figure 2, reference 14, where the floor controller is depicted as a mobile terminal. Accordingly, claims 1-2, 4-10 and 13-14 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

### **Claim Rejections – 35 U.S.C. § 112**

Claims 1-2 and 4-10 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter as the invention. The Applicants have corrected the deficiencies in claims 1-2 and 4-10 and the Applicant respectfully submits that the subject claims are now allowable.

### **Claim Rejections – 35 U.S.C. §101**

The Examiner rejected claims 13-14 on the asserted basis that those claims are directed to non-statutory subject matter. The Applicant has amended independent claim 13 to correct the non-statutory problem. The Applicant respectfully requests the allowance of claims 13-14

### **Claim Rejections – 35 U.S.C. § 102(e)**

Claims 1-2, 4-6, 10 and 13-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Karpoff (US 7,299,290). The Applicant respectfully traverses the rejection of these claims.

The Karpoff reference discloses a method and system for delivering streaming data content to a client device over a data communications network. In the Abstract, Karpoff discloses controlling transfer of requested data to a client and in other cases the controller device coordinating the delivery of requested data using one or more other similar controller devices in a pipelined fashion.

The Applicant's present invention discloses a method and system for conferring control of a data source among individual network components, in particular a session controller. "In the context of the present invention, the processes of floor control and session control are distinguished. Session control defines the process of controlling the data source." (page 2, lines 26-32) And, the Applicant respectfully submits that the cited art, Karpoff, does not disclose a floor controller as defined by the Applicant's Specification. Floor control relates to the task of selecting the network component that is to control the data source, i.e. the process of selecting the session controller.

With respect to the limitation in claim 1 regarding session controller, i.e.,

"...the floor controller triggering translation of the control instruction into an appropriate session control command and forwarding the session control command to the data source." (emphasis added)

The applicant respectfully contends that the floor controller forwards a session control command to the data source and the Karpoff reference fails to disclose this limitation.

The Examiner cites Karpoff in columns 15, 17 and 18 for disclosing the floor controller triggering translation of the control instruction into a session control command and then forwarding the session control command to the data source. The Applicant respectfully disagrees with the interpretation of the cited references as none of the three references disclose translation of the control instruction into a session control command. And, none of the cited portions of Karpoff discloses forwarding the translated control instruction to the data source.

Column 17, lines 20-25 of Karpoff discloses a client sending a request to the controller device without sending to a server except when authenticating the client. The controller of Karpoff cooperates with a daemon running on a server (The Applicant assumes that Karpoff's server is being compared to the Applicant's data source). In the embodiment disclosed, all requests are handled by a controller device without server intervention except during authentication. There is no indication in this portion of Karpoff of session control being forwarded to the data source (server in Karpoff). As Karpoff states, executable code can't be run on the Karpoff controller and the request, with user executable code, is executed on the server and the results are returned to the

controller. This is authentication and the server does not have any session control, the daemon is controlling in this specific case. This being the case, the daemon running executable code and returning the results to the controller, the Applicant respectfully contends that a session control command is not forwarded to a data source in the Karpoff reference. The Applicant respectfully submits that this limitation is not disclosed by the Karpoff reference.

Contrary to the Examiner's statement that all elements are disclosed in the Karpoff reference, at least the element regarding forwarding the session control command to the data source is not disclosed. So, the rejection of claim 1 is unsupported by the art and should be withdrawn. Claim 13 is analogous to claim 1 and contains similar limitations and the Applicant respectfully requests the allowance of Claim 13 on the same basis.

Claims 2, 4-6, 10, and 14 depend from amended claims 1 and 13 respectively and recite further limitations in combination with the novel elements of claims 1 and 13. Therefore, the allowance of claims 2, 4-6, 10 and 14 is respectfully requested.

#### **Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 7-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Karpoff (US 7,299,290) in view of Maggenti, et al. (US 2002/0086665). The Applicant respectfully traverses the rejection of these claims.

The Maggenti reference fails to provide the previously recited elements that both the Dommel reference and the Karpoff reference do not disclose. Therefore, the Applicant respectfully submits that Maggenti, whether considered individually or in combination, does not render the claims unpatentable. The Applicant respectfully requests the allowance of these claims.

**CONCLUSION**

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

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Date: January 10, 2011

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